IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.3205 OF 2004

Santosh Shivaji Pawar ...Applicant

vs.

State of Maharashtra ...Respondent

Mr.H.S.Venegaonkar for the Applicant
Ms M.M.Deshmukh, A.P.P. for State
Ms Reena Shinde i/b Mr.Dilip Bodake for original complainant.

CORAM: A.S.OKA,J.
DATE : JUNE 23,2005.

P.C.:

1. Heard Counsel appearing for the parties. The Applicant along with the Accused No.2 approached this Court earlier by filing an application for bail. By order dated 19th January 2004 the application made by the Applicant was allowed to be withdrawn with liberty to file a fresh application if the trial does not begin within the six months from that date. Before completion of period of six months, the Applicant filed one more application in this Court for bail which came to be rejected. This Application is filed on the ground that the trial has not yet commenced.

2. The original complainant has filed an Affidavit on record which discloses that the trial has already been started and the prosecution has examined one witness by name Bhagwan Parshuram Pawar and now the next date fixed is 1st July 2005. As the trial has already commenced, no case is made out for

grant of bail.

3. The learned Trial Judge will keep in mind that the Applicant is in custody for last more than two years and therefore the Trial needs expeditious disposal.

4. Subject to observations made above, the Application is rejected.

JUDGE